DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
BOX 1027
DETROIT, MICHIGAN 48231-1027

IN REPLY REFER TO:

CELRE-DE (690) 14 November 2002

COMMANDER'S POLICY MEMORANDUM #9

SUBJECT: Sexual Harassment in the Workplace

1. Sexual harassment is unequivocally not tolerated in the Detroit District. This form of sexual misconduct is totally unacceptable in our work environment by any one. When sexual harassment occurs in the workplace, it degrades our integrity and impacts our ability to make our vision become a reality. In addition, if we allow it to permeate and thrive in our workplace, it can impact each of us, our families and our communities either directly or indirectly.

2. The District will continue to uphold and enforce Title VII of the Civil Rights Act of 1964, as amended, which states: Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.

b. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

c. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

3. Keep in mind that conduct that seems perfectly harmless or humorous to one may be offensive to another. Conduct that might be overlooked outside of the work environment may cause an employee to complain of sexual harassment if it occurs in the workplace. Whatever form it takes, unwelcome conduct of a sexual nature in a work or work-related environment can be offensive and demeaning to the recipient, and will not be tolerated.

4. This policy applies to all employees, both military and civilian, as well as those persons not within our employment who are permitted on our work premises. It clearly prohibits deliberate or repeated unsolicited verbal or non-verbal, physical, graphic and hazing conduct of a sexual nature, which is unwelcome to the recipient, whether or not the recipient is a District employee. In addition, it prohibits the use of all government-owned property and resources such as copiers and fax machines, telephones, and personal computers (PCs) to engage in sexual misconduct.

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5. The prevention of sexual harassment is the responsibility of every employee of the organization. The best way to start is through avoidance of conduct that could fall under the purview of this policy and education. Insure that the basic Department of the Army (DA) Training in the Prevention of Sexual Harassment (TPOSH) is completed and then annually, complete the on-line course requirements, as assigned.

6. I know I can rely on every employee to act responsibly. However, any employee who violates the EEO laws or fails to comply with this policy and/or related Army and Corps policies of zero tolerance of discrimination, can expect disciplinary action up to removal. Given the nature of this type of misconduct, the District recognizes that wrongful charges of sexual harassment can have serious effects on innocent individuals.

7. Managers are held accountable for monitoring the work environment and effectively implementing this policy. Managers who perceive a violation of this policy shall take immediate corrective action to eliminate the harassment and prevent its recurrence. Corrective actions will not be contingent upon whether or not an aggrieved individual seeks redress through the EEO complaints system. However, when redress is sought, managers are expected to work closely with counselors and other officials involved to resolve matters as swiftly as possible. In addition, to preserve the dignity of our employees and the quality of our work environment, a copy of this policy and the enclosed District Reporting Procedures are to be provided at the first opportunity to contractual personnel who share our workspaces. I appreciate your support in this effort. (This policy is incomplete without the enclosure.)

Encl

THOMAS H. MAGNESS
LTC, EN
Commanding

DISTRIBUTION:
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ENCLOSURE TO COMMANDER'S POLICY MEMORANDUM # 9 ON SEXUAL HARASSMENT

DISTRICT REPORTING PROCEDURES

1. An employee who observes or believes he or she is the target of sexual harassment is to report the alleged act(s) to either his or her first-line manager, the EEO Officer or EEO staff representative. The EEO office staff can be contacted in Room 602 of the Federal McNamara Building in downtown Detroit, or be calling 313-226-6248 or 1-888-841-4075. EEO Counselors, whose names and locations are posted on bulletin boards, may also be contacted. Off-site interviewing is available upon request.

2. Complaints involving managers should be elevated to the next higher level and or reported directly to the EEO Officer.

3. Managerial inquiries are to be conducted within 24 hours after receiving a report of incident. The results of inquiries and corrective actions are to be recorded and a copy furnished to the EEO Officer. As a matter of policy, managers who fail to take corrective action will be held accountable.

4. Possible solutions through the Corps of Engineers Early Resolution Program (CEERP) are available as well as redress under the Title VII EEO Complaint Program. If a Title VII complaint is sought through official channels, it must be initiated directly with EEO within 45 days after the incident. All employees are to work closely with counselors and other officials involved to resolve matters as swiftly as possible.

5. Reported incidents are to be handled in a confidential manner. This will protect the confidentiality of the individual who raised the matter, protect the reputation of individual wrongfully charged with sexual harassment, and encourage reporting of such incidents.

6. If an employee is involved in a complaint he or she is expect to cooperate fully, within the parameters of legality, consciousness, and common sense. All employees shall be protected from retaliation intimidation, coercion, interference etc., for reporting incidents, filing Title VII complaints, and or participating in the process to eliminate sexual harassment.

Full procedures for processing a Title VII EEO complaint under AR 690-600 should be obtained from the EEO Officer, as appropriate. Check locked glass bulletin boards for the initial step and the list of counselors.

(Over)

EXAMPLES OF INAPPROPRIATE ACTIVITIES

Include but are not limited to:

Verbal	Sexual insinuation, suggestive comments, jokes, songs, sexual propositions, improper threats.
Non-Verbal	Sexually suggestive posters, cartoons, drawings, calendars or pictures, sounds, screen savers, acts.
Physical	Unwanted physical contact, including touching, pinching, brushing the body, coerced intimacy.
Hazing	Cruel behavior on account of an employee's sex typically when a work environment is the opposite sex.
Hostile Environment	Telling off-color jokes within earshot of an employee who finds such humor offensive and uncomfortable to work around.

For additional information visit the EEO page under **Who We Are** at:
http://www.lre.usace.army.mil
LTC Magness/aak/11/02